

OFFICIAL

## HARNESS, DICKEY &amp; PIERCE, P.L.C.

Attorneys and Counselors  
 7700 Bonhomme, Suite 400  
 Clayton, MO 63105  
 Phone: 314-726-7500  
 Fax: 314-726-7501  
 Troy, MI • Washington, D.C.

RECEIVED  
 CENTRAL FAX CENTER

FEB 20 2004

DATE: February 20, 2004

NO. OF PAGES (INCLUDING THIS PAGE): 3

FOR: Board of Patent Appeals and Interferences

COMPANY: U.S. Patent and Trademark Office

FAX No.: 703-872-9306

PHONE:

ORIGINAL WILL FOLLOW BY:  
 REGULAR MAIL  
 OVERNIGHT MAIL  
 COURIER  
 WILL NOT FOLLOW

FROM: Bryan K. Wheelock

Please let us know by phone or fax if you do not receive any of these pages.

## COMMENTS:

Appeal No. 2003-1411

RECEIVED  
 FEB 20 2004  
 U.S. PATENT AND TRADEMARK OFFICE  
 BOARD OF PATENT APPEALS  
 AND INTERFERENCES

## \*\*\* NOTICE \*\*\*

The information contained in this telefax transmission is intended only for the individual to whom or entity to which it is addressed. It may also contain privileged, confidential, attorney work product or trade secret information which is protected by law. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering the message to the addressee, the reader is hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address above via the U.S. Postal Service. We will reimburse you for any reasonable expense (including postage) for the return of the original message.

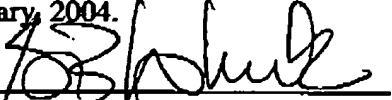
**PATENT**  
**Attorney File No. 5236-000108**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**BOARD OF PATENT APPEALS AND INTERFERENCES**

**CERTIFICATE OF FACSIMILE**

I hereby certify that the attached HEARING ATTENDANCE CONFIRMATION is correspondence is being forwarded to the BPAI of the U.S. Patent Office, Alexandria, Virginia at facsimile number 703-872-9306 on this 20th day of February, 2004.

  
Bryan K. Wheelock  
Registration No. 31,441

In re the application of:

Garibaldi, et al.

Application No. 09/292,096

Appeal No. 2003-1411

2003-1411  
BOARD OF PATENT APPEALS  
AND INTERFERENCES



MAILED

4911

FEB - 2 2004

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Bryan K. Wheelock  
Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme Avenue  
Suite 400  
St. Louis, MO 63105

Appeal No:  
Appellant:  
Application No:  
Hearing Room:  
Hearing Docket:  
Hearing Date:  
Hearing Time:  
Location:

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office

D.P.O. Box 1450  
Alexandria, Virginia  
22313-11450  
www.uspto.gov

FEB - 2 2004

Paper  
PAPERS DICKIE & PIERCE  
ST. LOUIS, MISSOURI

2003-1411	
Garibaldi, Jeffrey M., et.al	
09/292,098	
A	
B	
Thursday, April 29, 2004	
1:00 PM	
Room 12C07 CRYSTAL GATEWAY 2 1225 Jefferson Davis Highway Arlington, VA 22202	

**NOTICE OF HEARING**  
**CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS**

Your attention is directed to 37 CFR § 1.194(a).

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

**CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.**

This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

BPAI HEARINGS FAX No:

(703) 308-6199

USPTO Central Fax No.

(703) 872-9306

BPAI Mailing Address:

BOARD OF PATENT APPEALS AND INTERFERENCES

UNITED PATENT AND TRADEMARK OFFICE

P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-11450

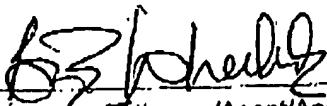
Clerk of the Board (703)-308-9797

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:

HEARING ATTENDANCE CONFIRMED

HEARING ATTENDANCE WAIVED

  
Signature of Attorney/Agent/Appellant

Date

2/20/2004 31441

Registration No.

BEST AVAILABLE COPY